

### REMARKS

In the Office Action, claims 66-73 are rejected under 35 U.S.C. §102. In response, claims 66-73 have been canceled without prejudice or disclaimer, and thus, the rejection should be rendered moot and withdrawn. Further, claims 74-77 have been newly added. Applicant believes that new claims 74-77 should be considered patentable over the cited art of record as further supported by the Affidavit of Gerald Horn, M.D. submitted herewith. Therefore, the §102 rejection should be withdrawn.

Claims 66-73 have been provisionally rejected for obviousness-type double patenting reasons. As previously provided, these claims have been canceled thereby rendering this rejection moot. To the extent that the provisional obviousness-type double patenting rejection applies to new claims 74-77, Applicant will address this rejection once alleged. Therefore, the provisional rejection should be withdrawn in view of same.

Accordingly, Applicant respectfully submit that the present application is in condition for allowance.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

BY



Thomas C. Basso (46,541)  
Customer No. 24573

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